

OLF3 (Official Local Form 3)
Effective December 1, 2017

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS

In re:
David D. Dipadua
Debtor(s)

Case No.:
Chapter 13

CHAPTER 13 PLAN

Check one. This plan is:

- ☒ Original
☐ Amended (Identify First, Second, Third, etc.)
☐ Postconfirmation (Date Order Confirming Plan Was Entered: _____)
Date this plan was filed: **May 26, 2021**

PART 1: NOTICES

TO ALL INTERESTED PARTIES:

You should review carefully the provisions of this Plan as your rights may be affected. In the event the Court enters an order confirming this Plan, its provisions may be binding upon you. The provisions of this Plan are governed by statutes and rules of procedure, including Title 11 of the United States Code (the "Bankruptcy Code"), the Federal Rules of Bankruptcy Procedure ("Fed. R. Bankr. P."), the Massachusetts Local Bankruptcy Rules ("MLBR"), and, in particular, the Chapter 13 rules set forth in Appendix 1 of MLBR, all of which you should consult.

TO CREDITORS:

Your rights may be affected by this Plan. Your claim may be reduced, modified, or eliminated. Read this Plan carefully and discuss it with your attorney. If you do not have an attorney, you may wish to consult with one. If you oppose this Plan's treatment of your claim or any other provision of this Plan, you or your attorney **must** file with the Court an objection to confirmation on or before the later of (i) thirty (30) days after the date on which the first Meeting of Creditors pursuant to 11 U.S.C. § 341 is held or (ii) thirty (30) days after service of an amended or modified Plan, unless the Court orders otherwise. A copy of your objection must be served on the Debtor(s), the attorney for the Debtor(s), and the Chapter 13 Trustee (the "Trustee"). The Bankruptcy Court may confirm this Plan if no objection to confirmation is filed or if it overrules an objection to confirmation. You have received or will receive a Notice of Chapter 13 Bankruptcy Case from the Bankruptcy Court which sets forth certain deadlines, including the bar date for filing a Proof of Claim. **To receive a distribution, you must file a Proof of Claim.**

TO DEBTOR(S):

You (or your attorney) are required to serve a copy of this Plan on all creditors in the manner required under the Bankruptcy Code, the Fed. R. Bankr. P., and MLBR. Unless the Court orders otherwise, you must commence making payments not later than the earlier of (i) thirty (30) days after the date of the filing of this Plan or (ii) thirty (30) days after the order for relief. **You must check a box on each line below to state whether or not this Plan includes one or more of the following provisions. If you check the provision "Not Included," if you check both boxes, or if you do not check a box, any of the following provisions will be void if set forth later in this Plan. Failure to properly complete this section may result in denial of confirmation of this Plan.**

FOR EACH LINE BELOW, DO NOT CHECK BOTH BOXES; DO NOT LEAVE BOTH BOXES BLANK.

1.1	A limit on the amount of a secured claim, set out in Part 3.B.1, which may result in a partial payment or no payment at all to the secured creditor.	<input type="checkbox"/> Included	<input checked="" type="checkbox"/> Not Included
1.2	Avoidance of a judicial lien or nonpossessory, nonpurchase-money security interest, set out in Part 3.B(3).	<input checked="" type="checkbox"/> Included	<input type="checkbox"/> Not Included
1.3	Nonstandard provisions, set out in Part 8.	<input type="checkbox"/> Included	<input checked="" type="checkbox"/> Not Included

PART 2: PLAN LENGTH AND PAYMENTS

A. **LENGTH OF PLAN:**

- ☐ 36 Months. 11 U.S.C. § 1325(b)(4)(A)(i);
☒ 60 Months. 11 U.S.C. § 1325(b)(4)(A)(ii);
☐ Months. 11 U.S.C. § 1322(d)(2). The Debtor(s) states the following cause:

B. **PROPOSED MONTHLY PAYMENTS:**

Monthly Payment Amount	Number of Months
------------------------	------------------

1,229.00	60
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C. ADDITIONAL PAYMENTS:

Check one.

☒ **None.** If "None" is checked, the rest of Part 2.C need not be completed and may be deleted from this Plan.

The total amount of Payments to the Trustee [B+C]:

\$73,740.00.

This amount must be sufficient to pay the total cost of this Plan in Exhibit 1, Line h.

PART 3: SECURED CLAIMS

☐ **None.** If "None" is checked, the rest of Part 3 need not be completed and may be deleted from this Plan.

A. CURE OF DEFAULT AND MAINTENANCE OF PAYMENTS:

Check one.

☐ **None.** If "None" is checked, the rest of Part 3.A need not be completed and may be deleted from this Plan.

☒ **Any Secured Claim(s) in default shall be cured and payments maintained as set forth in (1) and/or (2) below.**

Complete (1) and/or (2).

(1) PREPETITION ARREARS TO BE PAID THROUGH THIS PLAN

Prepetition arrearage amounts are to be paid through this Plan and disbursed by the Trustee. Unless the Court orders otherwise, the amount(s) of prepetition arrears listed in an allowed Proof of Claim controls over any contrary amount(s) listed below. Unless the Court orders otherwise, if relief from the automatic stay is granted as to any collateral listed in this paragraph, all payments paid through this Plan as to that collateral will cease upon entry of the order granting relief from stay.

(a) Secured Claim(s) (Principal Residence)

Address of the Principal Residence: 7 Harris Street, Baldwinville, MA 01436

The Debtor(s) estimates that the fair market value of the Principal Residence is: \$ 347,643.00

Name of Creditor	Type of Claim (e.g., mortgage, lien)	Amount of Arrears
Select Portfolio Servicing, Inc	Mortgage	7 Harris Street Baldwinville, MA 01436 Worcester County
		\$51,034.00

Total of prepetition arrears on Secured Claim(s) (Principal Residence): **\$51,034.00**

(b) Secured Claim(s) (Other)

Name of Creditor	Type of Claim	Description of Collateral (or address of real property)	Amount of Arrears

Total of prepetition arrears on Secured Claim(s) (Other): **\$0.00**

Total prepetition arrears to be paid through this Plan [(a) + (b)]: \$51,034.00

(2) MAINTENANCE OF CONTRACTUAL INSTALLMENT PAYMENTS (TO BE PAID DIRECTLY TO CREDITORS):

Contractual installment payments are to be paid directly by the Debtor(s) to creditor(s). The Debtor(s) will maintain the contractual installment payments as they arise postpetition on the secured claims listed below with any changes required by the applicable contract and noticed in conformity with any applicable rules.

Name of Creditor	Type of Claim	Description of Collateral
Select Portfolio Servicing, Inc	Mortgage	7 Harris Street Baldwinville, MA 01436 Worcester County

B. MODIFICATION OF SECURED CLAIMS:

Check one.

- ☐ **None.** If “None” is checked, the rest of Part 3.B need not be completed and may be deleted from this Plan.
- ☒ **Secured Claim(s) are modified as set forth in 1, 2, and/or 3 below.** Complete 1, 2, and/or 3 below.

(1) REQUEST FOR VALUATION OF SECURITY, PAYMENT OF FULLY SECURED CLAIMS, AND MODIFICATION OF UNDERSECURED CLAIMS UNDER 11 U.S.C. § 506:

- ☒ **None.** If “None” is checked, the rest of Part 3.B.1 need not be completed and may be deleted from this Plan.

(2) SECURED CLAIMS EXCLUDED FROM 11 U.S.C. § 506:

- ☒ **None.** If “None” is checked, the rest of Part 3.B.2 need not be completed and may be deleted from this Plan.

(3) LIEN AVOIDANCE UNDER 11 U.S.C. § 522(f):

- ☐ **None.** If “None” is checked, the rest of Part 3.B.3 and Exhibits 3 and 4 need not be completed and may be deleted from this Plan.

The following Plan provisions of Part 3.B.3 are effective only if the box “Included” in Part 1, Line 1.2 is checked.

The judicial lien(s) and/or nonpossessory, nonpurchase-money security interest(s) securing the claim(s) listed below impairs exemptions to which the Debtor(s) would have been entitled under 11 U.S.C. § 522(b).

Subject to 11 U.S.C. § 349(b), a judicial lien or nonpossessory, nonpurchase-money security interest securing a claim listed below will be avoided to the extent that it impairs such exemptions upon entry of the Order confirming this Plan. The amount of the judicial lien or nonpossessory, nonpurchase-money security interest that is avoided will be treated as a nonpriority unsecured claim in Part 5 if a Proof of Claim has been filed and allowed. The amount, if any, of the judicial lien or nonpossessory, nonpurchase-money security interest that is not avoided will be paid in full as a secured claim under this Plan provided a Proof of Claim is filed and allowed.

For each judicial lien that the Debtor(s) seeks to avoid, the Debtor(s) shall include the information below. The Debtor(s) also shall complete the chart set forth in Exhibit 3 to this Plan and shall attach to Exhibit 3 a true and accurate copy of the document evidencing such judicial lien as filed or recorded with filing or recording information included. The Debtor(s) shall include the evidentiary basis for the valuation asserted. For each judicial lien that the Debtor(s) seeks to avoid, the Debtor(s) shall provide a proposed form(s) of order as Exhibit 4 conforming to Official Local Form 21A. If the Debtor(s) is avoiding more than one lien, the Debtor(s) shall provide the information in a separate table in Exhibit 3 for each lien, and identify the tables as Exhibit 3.1, 3.2, etc.

The claim(s) identified below must also be set forth in Exhibit 3.

Name of Creditor	Exhibit Table (e.g., 3.1, 3.2, 3.3)
Grafton Suburban Credit Union	3.1
Midland Funding, LLC	3.2

Total Claim(s) under Part 3.B.3 to be paid through this Plan: \$0.00

C. SURRENDER OF COLLATERAL:

Check one.

- ☒ **None.** If “None” is checked, the rest of Part 3.C need not be completed and may be deleted from this Plan.

PART 4: PRIORITY CLAIMS

Check one

- ☒ **None.** If “None” is checked, the rest of Part 4 need not be completed and may be deleted from this Plan.

PART 5: NON PRIORITY UNSECURED CLAIMS

Check one.

- ☐ **None.** If “None” is checked, the rest of Part 5 need not be completed and may be deleted from this Plan.

☒ Any allowed nonpriority unsecured claim(s) other than those set forth in Part 5.F will be paid as stated below. Only a creditor holding an allowed claim is entitled to a distribution.

☐ Fixed Amount ("Pot Plan"): each creditor with an allowed claim shall receive a pro rata share of \$___, which the Debtor(s) estimates will provide a dividend of ___%.

☒ Fixed Percentage: each creditor with an allowed claim shall receive no less than 100 % of its allowed claim.

A. **GENERAL UNSECURED CLAIMS:** **\$15,320.68**

B. **UNSECURED OR UNDERSECURED CLAIMS AFTER MODIFICATION IN PART 3.B OR 3.C:**

Name of Creditor	Description of Claim	Amount of Claim
-NONE-		

C. **NONDISCHARGEABLE UNSECURED CLAIMS (e.g., student loans):**

Name of Creditor	Description of Claim	Amount of Claim
None		

D. **CLAIMS ARISING FROM REJECTION OF EXECUTORY CONTRACTS OR LEASES:**

Name of Creditor	Description of Claim	Amount of Claim
-NONE-		

E. **TOTAL TO BE PAID TO NONPRIORITY UNSECURED CREDITORS THROUGH THIS PLAN:**

The amount paid to nonpriority unsecured creditor(s) is not less than that required under the Liquidation Analysis set forth in Exhibit 2.

Total Nonpriority unsecured Claims [A + B + C + D]: **\$15,320.68**

Enter Fixed Amount (Pot Plan) or multiply total nonpriority unsecured claim(s) by Fixed Percentage and enter that amount: **\$15,320.68**

F. **SEPARATELY CLASSIFIED UNSECURED CLAIMS (e.g., co-borrower):**

Name of Creditor	Description of Claim	Amount of Claim	Treatment of Claim	Basis for Separate Classification
-NONE-				

Total of separately classified unsecured claim(s) to be paid through this Plan: **\$0.00**

PART 6: EXECUTORY CONTRACTS AND UNEXPIRED LEASES

Check one.

☒ None. If "None" is checked, the rest of Part 6 need not be completed and may be deleted from this Plan.

PART 7: POSTCONFIRMATION VESTING OF PROPERTY OF THE ESTATE

If the Debtor(s) receives a discharge, property of the estate will vest in the Debtor(s) upon entry of the discharge. If the Debtor(s) does not receive a discharge, property of the estate will vest upon the earlier of (i) the filing of the Chapter 13 Standing Trustee's Final Report and Account and the closing of the case or (ii) dismissal of the case.

PART 8: NONSTANDARD PLAN PROVISIONS

☒ None. If "None" is checked, the rest of Part 8 need not be completed and may be deleted from this Plan.

☐ This Plan includes the following nonstandard provisions. Under Fed. R. Bankr. P. 3015(c), each nonstandard provision must be set forth below in a separately numbered sentence or paragraph. A nonstandard provision is a provision not otherwise included in Official Local Form 3, or which deviates from Official Local Form 3. Nonstandard provisions set forth elsewhere in this Plan are ineffective. To the extent the provisions in Part 8 are inconsistent with other provisions of this Plan, the provisions of Part 8 shall control if the box "Included" is checked in Part I, Line 1.3.

PART 9: SIGNATURES

By signing this document, Debtor(s) acknowledges reviewing and understanding the provisions of this Plan and the Exhibits filed as identified below.

By signing this document, the Debtor(s) and, if represented by an attorney, the attorney for the Debtor(s), certifies that the wording and order of the provisions in this Plan are identical to those contained in Official Local Form 3, including the Exhibits identified below, other than any Nonstandard Plan Provisions in Part 8.

/s/ David D. Dipadua

David D. Dipadua

Debtor

May 25, 2021

Date

Debtor

Date

/s/ Richard D. Smeloff

Date May 25, 2021

Signature of attorney for Debtor(s)

Richard D. Smeloff 567869

567869 MA

Smeloff & Associates

500 Granite Ave

Suites 7&8

Milton, MA 02186

617-690-2124

rsmeloff@msn.com

The following Exhibits are filed with this Plan:

- ☒ **Exhibit 1: Calculation of Plan Payment***
- ☒ **Exhibit 2: Liquidation Analysis***
- ☒ **Exhibit 3: Table for Lien Avoidance under 11 U.S.C. § 522(f)****
- ☒ **Exhibit 4: [Proposed] Order Avoiding Lien Impairing Exemption****

List additional exhibits if applicable.

*Denotes a required Exhibit in every plan

**Denotes a required Exhibit if the box "Included" is checked in Part 1, Line 1.2.

Total number of Plan pages, included Exhibits: 12

EXHIBIT 1

CALCULATION OF PLAN PAYMENT

a)	Secured claims (Part 3.A and Part 3.B.1-3 Total):	\$51,034.00
b)	Priority claims (Part 4.A and Part 4.B Total):	\$0.00
c)	Administrative expenses (Part 4.C.1 and 4.C.2 Total):	\$0.00
d)	Nonpriority unsecured claims (Part 5.E Total):	\$15,320.68
e)	Separately classified unsecured claims (Part 5.F Total):	\$0.00
f)	Executory contract/lease arrears claims (Part 6 Total):	\$0.00
g)	Total of (a) + (b) + (c) + (d) + (e) + (f):	\$66,354.68
h)	Divide (g) by .90 for total Cost of Plan including the Trustee's fee:	\$73,740.00
i)	Divide (h), Cost of Plan, by term of Plan, 60 months:	\$1,228.81
j)	Round up to the nearest dollar amount for Plan payment:	\$1,229.00

If this is either an amended Plan and the Plan payment has changed, or if this is a postconfirmation amended Plan, complete(a) through (h) only and the following:

k)	Enter total amount of payments the Debtor(s) has paid to the Trustee:	
l)	Subtract line (k) from line (h) and enter amount here:	
m)	Divide line (l) by the number of months remaining (months):	
n)	Round up to the nearest dollar amount for amended Plan payment:	

Date the amended Plan payment shall begin: _____

EXHIBIT 2

LIQUIDATION ANALYSIS

A. REAL PROPERTY

Address (Sch. A/B, Part 1)	Value (Sch. A/B, Part 1)	Lien (Sch. D, Part 1)	Exemption (Sch. C)
7 Harris Street Baldwinville, MA 01436 Worcester County	347,643.00	208,598.56	500,000.00

Total Value of Real Property (Sch. A/B, line 55):	\$ 347,643.00
Total Net Equity for Real Property (Value Less Liens):	\$ 139,044.44
Less Total Exemptions for Real Property (Sch. C):	\$ 139,044.44
Amount Real Property Available in Chapter 7:	\$ 0.00

B. MOTOR VEHICLES

Make, Model and Year (Sch. A/B, Part 2)	Value (Sch. A/B, Part 2)	Lien (Sch. D, Part 1)	Exemption (Sch. C)
2013 Chevrolet Equinox 98000 miles	6,725.00	0.00	6,725.00
2007 Ford Explorer 235000 miles	3,275.00	0.00	3,275.00

Total Value of Motor Vehicles (Sch. A/B, line 55):	\$ 10,000.00
Total Net Equity for Motor Vehicles (Value Less Liens):	\$ 10,000.00
Less Total Exemptions for Motor Vehicles (Sch. C):	\$ 10,000.00
Amount Motor Vehicle Available in Chapter 7:	\$ 0.00

C. ALL OTHER ASSETS (Sch. A/B Part 2, no. 4; Part 3 through Part 7. Itemize.)

Asset	Value	Lien (Sch. D, Part 1)	Exemption (Sch. C)
Household Furnishings	2,000.00	0.00	2,000.00
Misc. Electronics	500.00	0.00	500.00
Clothing	500.00	0.00	500.00
Misc. Jewelry	50.00	0.00	50.00
Cash	28.00	0.00	28.00
Checking: DCU	14,000.00	0.00	7,697.00
Checking: Athol Savings Bank	200.00	0.00	0.00
Pension: Commonwealth of Massachusetts State Board of Retirement	0.00	0.00	0.00
Deferred Comp: Empower Retirement	5,815.00	0.00	5,815.00
Term Life Policy Through Employer	0.00	0.00	0.00
Class Action Lawsuit Against HSBC	0.00	0.00	0.00
Misc. Tools	300.00	0.00	300.00

Total Value of All Other Assets:	\$ 23,393.00
Total Net Equity for All Other Assets (Value Less Liens):	\$ 23,393.00
Less Total Exemptions for All Other Assets:	\$ 16,890.00
Amount of All Other Assets Available in Chapter 7:	\$ 6,503.00

D. SUMMARY OF LIQUIDATION ANALYSIS

Amount available in Chapter 7	Amount
A. Amount Real Property Available in Chapter 7 (Exhibit 2, A)	\$ 0.00
B. Amount Motor Vehicles Available in Chapter 7 (Exhibit 2, B)	\$ 0.00

C. Amount All Other Assets Available in Chapter 7 (<i>Exhibit 2, C</i>)	\$	6,503.00
TOTAL AVAILABLE IN CHAPTER 7:	\$	6,503.00

E. ADDITIONAL COMMENTS REGARDING LIQUIDATION ANALYSIS:

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EXHIBIT 3.1
TABLE FOR LIEN AVOIDANCE UNDER 11 U.S.C. § 522(f)

If the Debtor(s) is avoiding more than one lien, the Debtor(s) shall provide the information in a separate table for each lien and identify the table as Exhibit as 3.1, 3.2, etc. to correspond with the list of liens in Part 3.B.3.

Information Regarding Judicial Lien or Security Interest		
Name of Debtor(s):*	David D. Dipadua	
Name of Creditor:	Grafton Suburban Credit Union	
Collateral:	7 Harris Street Baldwinville, MA 01436 Worcester County	
Lien Identification:** (Such as judgment date, date of lien recording, book and page number.)	Judgment Lien 1/17/2006 Lien recorded 2/2/2006 Worcester County Registry of Deeds Book 38332 Pages 37 and 38	
Calculation of Lien Avoidance		
(a) Amount of lien:	\$ 6,093.47	
(b) Amount of all other liens (exclusive of liens previously avoided or avoided pursuant to this Plan):	\$ 202,505.09	
(c) Value of claimed exemptions:	\$ 500,000.00	
(d) Total (a), (b), and (c):	\$ 708,598.56	
(e) Value of interest in property of the Debtor(s):***	\$ 347,643.00	
(f) Subtract (e) from line (d):	\$ 360,955.56	
Extent of exemption impairment: (check applicable box below)		
<input checked="" type="checkbox"/> The entire lien is avoided as (f) is equal to or greater than (a). (Do not complete the next section.)		
<input type="checkbox"/> A portion of the lien is avoided as (f) is less than (a). (Complete the next section.)		
Treatment of Remaining Secured Claim		
Amount of secured claim after avoidance (subtract (f) from (a)):	\$	
Interest Rate (if applicable):	%	
Monthly payment on secured claim	\$	
Estimated total payment on secured claim	\$	
*In a joint case, specify whether the lien to be avoided is on an interest of an individual debtor or the joint debtors.	<input type="checkbox"/> Individual Debtor	<input type="checkbox"/> Joint Debtors
	Name:	
**Attach a true and accurate copy of the document or the instrument evidencing such lien as filed or recorded with filing or recording information included.		
***Describe the evidentiary basis for the value of the interest in property of the Debtor(s):		

OLF21A (Official Local Form 21A)

EXHIBIT 4.1

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS**

In re:
David D. Dipadua

Case No.:
Chapter 13

Debtor(s)

ORDER AVOIDING LIEN IMPAIRING EXEMPTION*

Upon consideration of 1) the Chapter 13 Plan (the “Plan”), through which the Debtor(s) made a request to avoid the lien of **Grafton Suburban Credit Union** pursuant to 11 U.S.C. § 522(f) as impairing the exemption of the Debtor(s); 2) the calculation of impairment set forth in Exhibit 3 to the Plan; 3) the Schedule of Exemptions filed by the Debtor(s); 4) the absence of an objection to the avoidance of the lien or the Court having overruled any and all objections to the request for lien avoidance in the Plan; 5) the entire record of proceedings in this case; 6) the Confirmation Order; and 7) the provisions of 11 U.S.C. § 522(f)(1) and (2), Fed. R. Bankr. P. 4003 and MLBR 4003-1,

The Court hereby orders and decrees that the lien of **Grafton Suburban Credit Union** recorded on 2/2/2006 at Worcester County Registry of Deeds Book 38332 pages 37 and 38 impairs the Debtor(s)' exemption in **7 Harris Street Baldwinville, MA 01436 Worcester County** (the “Exempt Property”) and declares that the lien covering the interest in exempt property of the Debtor(s) is avoided in its entirety [or avoided in part].

Pursuant to 11 U.S.C. § 349(b)(1)(B), the avoided lien shall be reinstated if the case is dismissed unless the Court, for cause, orders otherwise.

By the Court,

United States Bankruptcy Judge

** This Exhibit may be modified to address each lien listed in Table*

EXHIBIT 3.2
TABLE FOR LIEN AVOIDANCE UNDER 11 U.S.C. § 522(f)

If the Debtor(s) is avoiding more than one lien, the Debtor(s) shall provide the information in a separate table for each lien and identify the table as Exhibit as 3.1, 3.2, etc. to correspond with the list of liens in Part 3.B.3.

Information Regarding Judicial Lien or Security Interest		
Name of Debtor(s):*	David D. Dipadua	
Name of Creditor:	Midland Funding, LLC	
Collateral:	7 Harris Street Baldwinville, MA 01436 Worcester County	
Lien Identification:** (Such as judgment date, date of lien recording, book and page number.)	Judgment Lien 12/5/2006 Lien recorded 1/12/2007 Worcester County Registry of Deeds Book 40507 pages 248 and 249	
Calculation of Lien Avoidance		
(a) Amount of lien:	\$ 3,474.09	
(b) Amount of all other liens (exclusive of liens previously avoided or avoided pursuant to this Plan):	\$ 199,031.00	
(c) Value of claimed exemptions:	\$ 500,000.00	
(d) Total (a), (b), and (c):	\$ 702,505.09	
(e) Value of interest in property of the Debtor(s):***	\$ 347,643.00	
(f) Subtract (e) from line (d):	\$ 354,862.09	
Extent of exemption impairment: (check applicable box below)		
<input checked="" type="checkbox"/> The entire lien is avoided as (f) is equal to or greater than (a). (Do not complete the next section.)		
<input type="checkbox"/> A portion of the lien is avoided as (f) is less than (a). (Complete the next section.)		
Treatment of Remaining Secured Claim		
Amount of secured claim after avoidance (subtract (f) from (a)):	\$	
Interest Rate (if applicable):	%	
Monthly payment on secured claim	\$	
Estimated total payment on secured claim	\$	
*In a joint case, specify whether the lien to be avoided is on an interest of an individual debtor or the joint debtors.	<input type="checkbox"/> Individual Debtor	<input type="checkbox"/> Joint Debtors
	Name:	
**Attach a true and accurate copy of the document or the instrument evidencing such lien as filed or recorded with filing or recording information included.		
***Describe the evidentiary basis for the value of the interest in property of the Debtor(s):		

OLF21A (Official Local Form 21A)

EXHIBIT 4.2

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS**

In re:
David D. Dipadua

Case No.:
Chapter 13

Debtor(s)

ORDER AVOIDING LIEN IMPAIRING EXEMPTION*

Upon consideration of 1) the Chapter 13 Plan (the “Plan”), through which the Debtor(s) made a request to avoid the lien of **Midland Funding, LLC** pursuant to 11 U.S.C. § 522(f) as impairing the exemption of the Debtor(s); 2) the calculation of impairment set forth in Exhibit 3 to the Plan; 3) the Schedule of Exemptions filed by the Debtor(s); 4) the absence of an objection to the avoidance of the lien or the Court having overruled any and all objections to the request for lien avoidance in the Plan; 5) the entire record of proceedings in this case; 6) the Confirmation Order; and 7) the provisions of 11 U.S.C. § 522(f)(1) and (2), Fed. R. Bankr. P. 4003 and MLBR 4003-1,

The Court hereby orders and decrees that the lien of **Midland Funding, LLC** recorded on 1/12/2007 at Worcester County Registry of Deeds Book 40507 pages 248 and 249 impairs the Debtor(s)' exemption in **7 Harris Street Baldwinville, MA 01436 Worcester County** (the “Exempt Property”) and declares that the lien covering the interest in exempt property of the Debtor(s) is avoided in its entirety [or avoided in part].

Pursuant to 11 U.S.C. § 349(b)(1)(B), the avoided lien shall be reinstated if the case is dismissed unless the Court, for cause, orders otherwise.

By the Court,

United States Bankruptcy Judge

** This Exhibit may be modified to address each lien listed in Table*

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS

In re: David D. Dipadua

Case No.
Chapter 13

Instructions to Debtor(s):

- A. Pursuant to MLBR, Appendix 1, Rule 13-4(b), the Debtor(s) or Debtor(s)'s attorney shall cause a copy of the Plan to be served by first class mail or other permitted means upon the Chapter 13 trustee, all creditors of the debtor, all attorneys who have filed a notice of appearance and request service of all pleadings, and other parties in interest (collectively referred to as the "recipients") using this form, Official Local Form 3A ("OLF 3A"). You must list each recipient's name and mailing address in the Certificate of Service. Do not include account numbers or any personal identifier. See Fed. R. Bankr. P. 9037.
- B. If in the Plan you request:
(1) to limit, modify, or determine the amount of a secured claim (you checked the box "Included" in Part 1, Line 1.1); and/or
(2) to avoid a judicial lien or nonpossessory, nonpurchase-money security interest (you checked the box "Included" in Part 1, Line 1.2),

you must, in addition to serving the Plan as set forth above in Section A and using OLF 3A, ALSO serve a copy of this Plan on the holder(s) of the affected claim(s) and any other entity the Court designates in the manner provided for service in accordance with Fed. R. Bankr. P. 7004, using the Affidavit of Service of Chapter 13 Plan, Official Local Form 3B ("OLF 3B").
- C. If serving creditors only under Section A, file only OLF 3A with the Court after service is made. If serving creditors also under Section B, you must file both OLF 3A and OLF 3B with the Court after service is made.

CERTIFICATE OF SERVICE OF CHAPTER 13 PLAN

I/We hereby certify that on May 27, 2021 and in accordance with MLBR, Appendix 1, Rule 13-4(b), I/we served by first class United States mail a copy of this Plan to the on the parties on the attached list.

By the Debtor(s):
David D. Dipadua

/s/ Richard D. Smeloff
Richard D. Smeloff
BBO# 567869
Smeloff & Associates
500 Granite Ave
Suite 7 & 8
Milton MA 02186
(617) 690-2124
rsmeloff@msn.com

Collection/Gragil Assoc, Inc.
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Debt Recovery Solution
900 Merchants Concourse
Westbury, NY 11590

Demerle Hoeger LLP
10 City Square
Charlestown, MA 02129

Focus Receivables Mana
1130 Northchase Parkway
Suite 150
Marietta, GA 30067

Ford Motor Credit Company LLC
Nair & Levin
707 Bloomfield Ave.
Bloomfield, CT 06002

Grafton Suburban Credit Union
86 Worcester Street
North Grafton, MA 01536

Midland Funding, LLC
Assignee of Aspire Visa
8875 Aero Drive Suite 200
San Diego, CA 92123

Nair & Levin, P.C
707 Bloomfield Ave
Bloomfield, CT 06002

National Grid
300 Erie Blvd West
Syracuse, NY 13202

National Recovery Agency
2491 Paxton St
Harrisburg, PA 17111

Richard, Randall Hubbard
Richard Hubbard
P.O Box 567
Nine North Main Street
Uxbridge, MA 01569

Select Portfolio Servicing, Inc
Po Box 65250
Salt Lake City, UT 84165

Southwest Credit Systems
4120 International Parkway Ste 1100
Carrollton, TX 75007

Comparative Market Analysis

To establish market value of

**7 HARRIS STREET
Templeton, MA**

**Prepared for David Douglas DiPaua
By Chuck Silverston**

Unlimited

Sotheby's

INTERNATIONAL REALTY

Comparative Market Analysis

Prepared for David Douglas DiPaua

- Cover Page
- Subject Property Report
- Market Analysis Summary
- Comparable Property Reports
- Side by Side Property Comparisons (3-up)
- Sold Properties Graph
- Pricing Adjustment per Property (Appraisal Style)
- Suggested Sales Price
- Pricing Analysis (\$/Sq.Ft.)

Subject Property
Prepared for David Douglas DiPaua**7 HARRIS STREET**
Templeton, MA 01436
Single Family

MLS #: **30673427** Status: **Sold**
 List Price: **\$179,900** Sale Price: **\$168,000**
 List Date: **12/9/2002** Sale Date: **3/19/2003**
 Area: Off Market Date: **2/14/2003**
 List\$/SqFt: **\$119.93** Sold\$/SqFt: **\$112**
 Days on Market (Total): **67** Days on Market (Office): **67**

Property Features

Rooms: **8** Style: **Farmhouse**
 Bedrooms: **3** Type: **Detached**
 Baths: **1f 0h** Apprx Acres: **0.49**
 Master Bath: **No** Apprx Lot Size: **21344 sq.ft.**
 Fireplaces: **0** Apprx Living Area: **1500 sq.ft.**
 Year Built: **1930** Foundation Size: **20 X 30 (Concrete Block)**
 Color: **BROWN** Garage: **3 Attached, Carport, Heated, Storage**
 Parking: **6 Off-Street**
 Handicap Access/Features:

**Room Descriptions**

Room	Level	Size	Features
Living Room:	1	--	--
Dining Room:	1	--	--
Family Room:	1	--	--
Kitchen:	1	--	--
Master Bedroom:	2	--	--
Bedroom 2:	2	--	--
Bedroom 3:	2	--	--
Bath 1:	1	--	--
Laundry:	2	--	--

Features & Other Information

Appliances: **Range, Dishwasher, Refrigerator**
 Area Amenities: **Park, Walk/Jog Trails, Golf Course**
 Basement: **Yes Partial, Interior Access**
 Construction: **Frame**
 Cooling: **Central Air**
 Electric: **220 Volts, Circuit Breakers, 100 Amps**
 Exterior: **Clapboard, Wood**
 Exterior Features: **Porch, Decorative Lighting, Screens**
 Heating: **Central Heat, Forced Air, Oil**
 Hot Water: **Electric, Tank**
 Interior Features: **Central Vacuum, Security System, Cable Available**
 Lead Paint: **Unknown**
 Road Type: **Public, Paved, Publicly Maint.**
 Roof: **Asphalt/Fiberglass Shingles**
 Sewer Utilities: **City/Town Sewer**
 Water Utilities: **City/Town Water**
 Waterfront: **No**
 Short Sale w/Lndr.App.Reg: **Unknown**
 Lender Owned: **Undisclosed**

Remarks

2 CARPORTS GARAGE IS HEATED, CENTRAL AIR, SECURITY SYSTEM, ELABORATE LIGHTING PKG. BRICK WALKWAY W/GOLD FISH POND, LARGE CORNER LOT & MUCH MORE.

Tax Information

2002 Taxes: **\$1409.53** Assessment: **\$103,800**
 Pln #:

Cert: Zoning Code: **RES**
 Map: **1-04** Block: **231** Lot: Book: **17682** Page: **278**

Market Analysis Summary

Prepared for David Douglas DiPaua

Properties Currently For Sale

Number of Properties: 2

Price Range: \$294,900 to \$434,900

Average Price: \$364,900

Median Price: \$364,900

Address	City	Beds	Baths		Living Area (Square Feet)	Days on Market	List Price
			Full	Half			
464 Otter River Rd	Templeton, MA	4	2	0	1337	10	\$294,900
Lot 3 Michaels Lane	Templeton, MA	3	2	1	1762	97	\$434,900

Market Analysis Summary
Prepared for David Douglas DiPaua**Properties Currently Under Contract**

Number of Properties: 3

Price Range: \$324,900 to \$329,900

Average Price: \$326,600

Median Price: \$325,000

Address	City	Beds	Baths		Living Area (Square Feet)	Days on Market	List Price
			Full	Half			
21 Fisher Street	Templeton, MA	2	1	1	1486	5	\$324,900
84 Baptist Common Rd	Templeton, MA	3	2	0	1508	6	\$325,000
10 April Circle	Templeton, MA	3	2	0	1349	17	\$329,900

Market Analysis Summary

Prepared for David Douglas DiPaua

Properties Recently Sold

Number of Properties: 2

Price Range: \$345,000 to \$378,900

Average Price: \$361,950

Median Price: \$361,950

Address	City	Beds	Baths		Living Area (Square Feet)	Days on Market	List Price	Sale Price	SP% of LP
			Full	Half					
61 Victoria Lane	Templeton, MA	3	1	1	1545	18	\$320,000	\$345,000	108%
19 Oak Street	Templeton, MA	3	2	1	1600	48	\$374,900	\$378,900	101%

**464 Otter River Rd
 Templeton, MA 01468
 Single Family**

MLS #: **72831616** Status: **Contingent - Pending P&S**
 List Price: **\$294,900**
 List Date: **5/13/2021**
 Area: Off Market Date:
 List\$/SqFt: **\$220.57**
 Days on Market (Total): **10** Days on Market (Office): **10**

Property Features

Rooms: **8** Style: **Raised Ranch**
 Bedrooms: **4** Type: **Detached**
 Baths: **2f 0h** Apprx Acres: **0.41**
 Master Bath: Apprx Lot Size: **17859 sq.ft.**
 Fireplaces: **0** Apprx Living Area: **1337 sq.ft.**
 Year Built: **1971** Foundation Size: **(Poured Concrete)**
 Color: Garage: **1 Attached, Under**
 Parking: **2 Off-Street**
 Handicap Access/Features:



Room Descriptions

Room	Level	Size	Features
------	-------	------	----------

Features & Other Information

Basement: **Yes Full**
 Construction: **Frame**
 Cooling: **None**
 Electric: **Circuit Breakers**
 Exclusions:
 Heating: **Hot Water Baseboard, Oil**
 Lead Paint: **Unknown**
 Road Type: **Public**
 Sewer Utilities: **Private Sewerage - Title 5: Pass**
 Water Utilities: **City/Town Water**
 Waterfront: **No**
 Short Sale w/Lndr.App.Req: **No**
 Lender Owned: **Yes**

Remarks

Beautifully renovated raised ranch. Cabinet packed updated kitchen with new stainless steel appliances and granite counter tops. Freshly painted interior, new lighting fixtures and new flooring thru out. Updated spacious bathroom with neutral colors. Generous bedrooms with plenty of closet space. Fabulous back yard which would be great for entertaining. Conveniently located close to shopping and highways. FHA/VA welcome! This home's floorplan and to highlight its potential, virtual furnishings may have been added to photos found in this listing.*****

Tax Information

2021 Taxes: \$3265.5 Assessment: \$202,700
 Pin #:

Cert: Zoning Code: **Res**
 Map: Block: Lot: Book: **61212** Page: **116**

**Lot 3 Michaels Lane
Templeton, MA 01436
Single Family**

MLS #: **72785844** Status: **Active**
List Price: **\$434,900**
List Date: **2/15/2021**
Area: Off Market Date:
List\$/SqFt: **\$246.82**
Days on Market (Total): **97** Days on Market (Office): **97**

Property Features

Rooms: **7** Style: **Cape**
Bedrooms: **3** Type: **Detached**
Baths: **2 1/2** Apprx Acres: **1**
Master Bath: **Yes** Apprx Lot Size: **43560 sq.ft.**
Fireplaces: **1** Apprx Living Area: **1762 sq.ft.**
Year Built: **2021** Foundation Size: **34 x 28 (Poured Concrete)**
Color: **Choice** Garage: **2 Attached, Garage Door Opener, Insulated**
Parking: **4 Off-Street, Paved Driveway**
Handicap Access/Features:



Room Descriptions

Room	Level	Size	Features
Living Room:	1		Fireplace, Flooring - Hardwood
Dining Room:	1		Flooring - Hardwood, Decorative Molding
Kitchen:	1		Flooring - Hardwood, Countertops - Stone/Granite/Solid, Kitchen Island, Deck - Exterior, Slider
Master Bedroom:	2		Skylight, Ceiling - Cathedral, Closet - Walk-in, Flooring - Wall to Wall Carpet
Bedroom 2:	2		Closet, Flooring - Wall to Wall Carpet
Bedroom 3:	2		Closet, Flooring - Stone/Ceramic Tile
Bath 1:	1		Bathroom - Half, Flooring - Hardwood, Countertops - Stone/Granite/Solid, Dryer Hookup - Gas, Washer Hookup
Bath 2:	2		Bathroom - 3/4, Bathroom - With Shower Stall, Closet - Linen, Flooring - Vinyl, Countertops - Stone/Granite/Solid
Bath 3:	2		Bathroom - Full, Bathroom - With Tub & Shower, Closet - Linen, Flooring - Vinyl, Countertops - Stone/Granite/Solid
Laundry:	1		Bathroom - Half, Flooring - Hardwood
Foyer:	1		Flooring - Hardwood

Features & Other Information

Area Amenities: **Public Transportation, Shopping, Park, Walk/Jog Trails, Golf Course, Highway Access, House of Worship, Public School**
Basement: **Yes Full, Interior Access, Concrete Floor**
Construction: **Frame**
Cooling: **Central Air**
Electric: **Circuit Breakers, 200 Amps**
Exclusions:
Exterior: **Vinyl**
Exterior Features: **Porch, Deck, Professional Landscaping, Screens**
Heating: **Forced Air, Gas, Propane**
Hot Water: **Propane Gas, Tank**
Interior Features: **Cable Available**
Lead Paint: **None**
Road Type: **Public, Paved, Publicly Maint.**
Roof: **Asphalt/Fiberglass Shingles**
Sewer Utilities: **Private Sewerage - Title 5: Pass**
Water Utilities: **City/Town Water**
Waterfront: **No** Water View: **No**
Short Sale w/Lndr.App.Reg: **No**
Lender Owned: **No**

Remarks

CUSTOM DESIGN THIS DREAM HOME! Beautiful cape with oversized 2-car attached garage (24 x 24) WILL BE STARTING SOON on this great lot in a beautiful subdivision of comparable homes. Seven foot (7') dormers (perfect for beautiful window seats). Open concept floorplan. Gleaming hardwood floors throughout the whole first floor. First floor laundry. Central air conditioning (2 zones). Lovely propane gas fireplace in the living room. Pretty picture frame moldings in the formal dining room. Sliders to a large pressure treated deck off the breakfast nook. Kitchen with center island & granite countertops. Small front porch (trex with azek trim) and lovely columns that enter into a bright & welcoming foyer. Vaulted ceiling & two skylights in the primary bedroom suite. Fully landscaped lot (loamed & seeded). Paved driveway. Superior workmanship and "quality built" home. Still time to "customize" & MAKE YOUR OWN SELECTIONS! Call today on this amazing home. Photos are of a similar home built

Tax Information

2021 Taxes: **\$0** Assessment: **\$0**
Pin #:

Cert: Zoning Code: **Res**
Map: Block: Lot: Book: **New** Page: **New**

Property Descriptions

Document Page 24 of 43
Prepared for David Douglas DiPaola

21 Fisher Street
Templeton, MA 01468-1047
Single Family

MLS #: **72827306** Status: **Under Agreement**
 List Price: **\$324,900**
 List Date: **5/6/2021** Ant. Sale Date: **6/10/2021**
 Area: Off Market Date: **5/11/2021**
 List\$/SqFt: **\$218.64**
 Days on Market (Total): **5** Days on Market (Office): **5**

Property Features

Rooms: **5** Style: **Cape**
 Bedrooms: **2** Type: **Detached**
 Baths: **1f 1h** Apprx Acres: **1.29**
 Master Bath: Apprx Lot Size: **56192 sq.ft.**
 Fireplaces: **0** Apprx Living Area: **1486 sq.ft.**
 Year Built: **1945** Foundation Size: **(Poured Concrete, Granite)**
 Color: Garage: **5 Detached**
 Parking: **6 Off-Street**
 Handicap Access/Features:



Room Descriptions

Room	Level	Size	Features
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Features & Other Information

Appliances: **Range, Refrigerator**
 Area Amenities: **Park, Walk/Jog Trails**
 Basement: **Yes Full**
 Construction: **Frame**
 Cooling: **None**
 Electric: **220 Volts**
 Exclusions:
 Exterior: **Vinyl**
 Exterior Features: **Deck, Pool - Inground, Storage Shed, Sprinkler System**
 Heating: **Forced Air, Oil**
 Hot Water: **Electric**
 Lead Paint: **Unknown**
 Road Type: **Public, Publicly Maint.**
 Roof: **Asphalt/Fiberglass Shingles**
 Sewer Utilities: **City/Town Sewer**
 Water Utilities: **City/Town Water**
 Waterfront: **No** Water View: **No**
 Short Sale w/Lndr.App.Reg: **No**
 Lender Owned: **No**

Remarks

Beautiful home in immaculate condition. Two bedrooms and full bathroom on second floor, large Living room, Kitchen, Dining room, Bonus room (office) 3/4 Bathroom, and Laundry room on first. Plenty of closets for storage. Beautiful woodwork throughout the home. Roof, furnace, oil tank replaced within last 5 years. Updated 200 amp electrical service in home and 100 in garage. Large inground pool with new liner. Inground sprinkler system for lawn. Large 36' by 36' foot garage with enough space to put five cars. Storage shed is 20' by 26'. Snow mobile trail off the back yard. Gilman-Waite field is only steps away, offering baseball fields, basketball courts, and tennis courts. This home is located on a dead end street. Open house from noon to 1 30pm on 5/8/21

Tax Information

2021 Taxes: **\$3555** Assessment: **\$220,700**
 Pin #: **M:05-04 B:00019 L:00000**

Cert: Zoning Code: **R**
 Map: Block: Lot: Book: **23104** Page: **165**

**84 Baptist Common Rd
 Templeton, MA 01468
 Single Family**

MLS #: **72822359** Status: **Under Agreement**
 List Price: **\$325,000**
 List Date: **4/28/2021** Ant. Sale Date: **6/3/2021**
 Area: Off Market Date: **5/3/2021**
 List\$/SqFt: **\$215.52**
 Days on Market (Total): **6** Days on Market (Office): **6**

Property Features

Rooms: **5** Style: **Ranch**
 Bedrooms: **3** Type: **Detached**
 Baths: **2 f 0h** Apprx Acres: **1.96**
 Master Bath: Apprx Lot Size: **85378 sq.ft.**
 Fireplaces: **0** Apprx Living Area: **1508 sq.ft.**
 Year Built: **2006** Foundation Size: **(Poured Concrete)**
 Color: **green** Garage: **0 --**
 Parking: **10 Off-Street, Unpaved Driveway**
 Handicap Access/Features:



Room Descriptions

Room	Level	Size	Features
Living Room:	1	--	--
Dining Room:	1	--	--
Family Room:	B	--	--
Kitchen:	1	--	--
Master Bedroom:	1	--	--
Bedroom 2:	1	--	--
Bedroom 3:	1	--	--
Bath 1:	1	--	--
Bath 2:	1	--	--
Laundry:	1	--	--

Features & Other Information

Appliances: **Range, Dishwasher, Refrigerator**
 Basement: **Yes Full, Finished, Partially Finished, Walk Out, Concrete Floor, Unfinished Basement, Exterior Access**
 Construction: **Frame**
 Cooling: **None**
 Exclusions: **Washer & Dryer & Small Coverlet/Shed**
 Exterior: **Clapboard**
 Exterior Features: **Deck, Gutters, Fenced Yard**
 Heating: **Hot Water Baseboard, Oil, Wood, Wood Stove**
 Lead Paint: **None**
 Living Area Disclosures: **Finished basement not included in square footage**
 Road Type: **Public**
 Roof: **Asphalt/Fiberglass Shingles**
 Sewer Utilities: **Private Sewerage - Title 5: Not Done**
 Water Utilities: **City/Town Water**
 Waterfront: **No** Water View: **No**
 Short Sale w/Lndr.App.Req: **No**
 Lender Owned: **No**

Remarks

***** Seller is requesting all offers by 5pm Monday 5/3/21. Beautiful Ranch situated on 1.96 acres close to RT2. Move In Ready Home tucked back off the road with Large Driveway with plenty of parking. Generous size Deck overlooks partially fenced yard. Poured Concrete pad w/Coverlet in Back Yard for Additional Storage for yard tools, atv, tractor etc. Living Room, Open Concept Kitchen and Dining as well as Additional Living Space-previously used as Dining Room (currently used as Playroom Area), Master Bedroom, Master Bath and 2 Bedrooms with 1st Floor Laundry complete the Main Level. Basement features Huge Family Room with /Office Area. Additional Storage and Room to expand. Seller adding Burlap to Ceiling in Basement. Buyer may want to add Drywall or Drop Ceiling to further finish ceiling. Book your Appointment Today!!**

Tax Information

2021 Taxes: \$4181 Assessment: \$259,500
Pin #: M:04-07 B:00090 L:00004

Cert: 000000065697 Zoning Code: RA-1c
Map: Block: Lot: Book: 60682 Page: 177

Property Descriptions

Prepared for David Douglas DiPaua

10 April Circle
Templeton, MA 01468
Single Family

MLS #: **72800951** Status: **Under Agreement**
 List Price: **\$329,900**
 List Date: **3/19/2021** Ant. Sale Date: **5/25/2021**
 Area: Off Market Date: **4/30/2021**
 List\$/SqFt: **\$244.55**
 Days on Market (Total): **17** Days on Market (Office): **17**

Property Features

Rooms: **5** Style: **Contemporary, Ranch**
 Bedrooms: **3** Type: **Detached**
 Baths: **2 f 0 h** Apprx Acres: **1.03**
 Master Bath: **Yes** Apprx Lot Size: **44867 sq.ft.**
 Fireplaces: **1** Apprx Living Area: **1349 sq.ft.**
 Year Built: **1996** Foundation Size: **0x0 (Poured Concrete)**
 Color: **Tan** Garage: **2 Attached**
 Parking: **8 Off-Street**
 Handicap Access/Features:



Room Descriptions

Room	Level	Size	Features
Living Room:	1		Fireplace, Ceiling - Vaulted, Cable Hookup
Kitchen:	1		Flooring - Stone/Ceramic Tile, Balcony / Deck
Master Bedroom:	1		Bathroom - Full, Ceiling - Vaulted, Closet - Walk-in, Flooring - Wall to Wall Carpet
Bedroom 2:	1		Ceiling Fan(s), Flooring - Wall to Wall Carpet
Bedroom 3:	1		Ceiling Fan(s), Flooring - Wall to Wall Carpet

Features & Other Information

Appliances: **Range, Dishwasher, Microwave**
 Area Amenities: **Conservation Area, Highway Access, Public School**
 Basement: **Yes Full, Bulkhead**
 Construction: **Frame**
 Cooling: **Central Air**
 Electric: **220 Volts**
 Exclusions:
 Exterior: **Clapboard**
 Exterior Features: **Deck, Pool - Above Ground**
 Heating: **Forced Air, Oil**
 Interior Features: **Cable Available**
 Lead Paint: **Unknown**
 Road Type: **Public, Paved**
 Roof: **Asphalt/Fiberglass Shingles**
 Sewer Utilities: **Private Sewerage - Title 5: Pass**
 Water Utilities: **City/Town Water**
 Waterfront: **No**
 Short Sale w/Lndr.App.Req: **No**
 Lender Owned: **Undisclosed**

Remarks

Wonderful opportunity to own a MOVE IN READY home in Templeton at an affordable price! This 3 bedroom 2 bath ranch is located on a dead end cul-de-sac. As you enter the home, there is a large open living room with soaring ceilings and a fireplace, very warm and inviting! Kitchen with tile flooring which leads to a side deck. Spacious Master bedroom with a walk in closet, full bath and jetted tub. Two additional bedrooms with built in desks for home schooling! Off the Kitchen is access to a pristine two car garage with poured flooring. Bring your ideas to finish the basement giving more living space! Additional storage in the shed which is located in the back yard. This gem is set back with over an acre lot! Enjoy an afternoon in the above ground pool which abuts conservation land. This is a special property and one you will enjoy calling home! BUYER LOST THEIR JOB BACK ON MARKET.

Tax Information

2020 Taxes: **\$4972** Assessment: **\$242,000**
 Pin #:

Cert: Zoning Code: **RES**
 Map: Block: Lot: Book: **36416** Page: **290**

61 Victoria Lane
 Templeton, MA 01468
 Single Family

MLS #: 72784602	Status: Sold
List Price: \$320,000	Sale Price: \$345,000
List Date: 2/10/2021	Sale Date: 3/26/2021
Area:	Off Market Date: 2/27/2021
List\$/SqFt: \$207.12	Sold\$/SqFt: \$223.30
Days on Market (Total): 18	Days on Market (Office): 18



Property Features

Rooms: 6	Style: Colonial
Bedrooms: 3	Type: Detached
Baths: 1f 1h	Apprx Acres: 1
Master Bath: No	Apprx Lot Size: 43560 sq.ft.
Fireplaces: 0	Apprx Living Area: 1545 sq.ft.
Year Built: 2012	Foundation Size: (Poured Concrete)
Color: Beige	Garage: 0 --
Parking: 8 Off-Street, Paved Driveway	
Handicap Access/Features: No	

Room Descriptions

Room	Level	Size	Features
Living Room:	1		Ceiling Fan(s), Flooring - Wall to Wall Carpet, Open Floor Plan
Dining Room:	1		Flooring - Wall to Wall Carpet, Open Floor Plan
Kitchen:	1		Flooring - Laminate, Dining Area, Countertops - Stone/Granite/Solid, Breakfast Bar / Nook, Open Floor Plan, Slider
Master Bedroom:	2		Ceiling Fan(s), Closet - Walk-in, Flooring - Wall to Wall Carpet
Bedroom 2:	2		Closet, Flooring - Wall to Wall Carpet
Bedroom 3:	2		Closet, Flooring - Wall to Wall Carpet
Bath 1:	1		Bathroom - Half, Flooring - Laminate, Dryer Hookup - Electric, Washer Hookup
Bath 2:	2		Bathroom - Full, Closet - Linen, Flooring - Laminate

Features & Other Information

Appliances: Range, Dishwasher, Microwave, Refrigerator, Washer, Dryer
 Area Amenities: Park, Walk/Jog Trails, Conservation Area, Highway Access, Public School
 Basement: Yes Full, Interior Access, Bulkhead
 Construction: Frame
 Cooling: None
 Electric: Circuit Breakers, 200 Amps
 Exclusions: Swing Set, and TV
 Exterior: Vinyl
 Exterior Features: Deck - Wood
 Green Certified: No
 Heating: Hot Water Baseboard, Oil
 Hot Water: Oil, Tank
 Interior Features: Cable Available
 Lead Paint: None
 Road Type: Public, Publicly Maint.
 Roof: Asphalt/Fiberglass Shingles
 Sewer Utilities: City/Town Sewer
 Water Utilities: City/Town Water
 Waterfront: No Water View: No
 Short Sale w/Lndr.App.Req: No
 Lender Owned: No

Remarks

Beautiful Young colonial built in 2012 ready for its new owners in one of Templeton's finest neighborhoods! You will not want to miss out on this opportunity to purchase this 3 bedroom, 1-1/2 bath colonial sitting on a 1 acre lot! The gorgeous eat-in kitchen opens up to the living room with plenty of cabinet space, granite countertops, bar seating, and stainless steel appliances! Large dining room or use as an in home office space! The first floor also has a 1/2 bath with laundry! Upstairs you will find the huge master bedroom with nice size walk-in closet, 2 additional bedrooms, and full bath! Basement is ready to be finished for additional square footage! Deck off of the kitchen overlooking the large level backyard which has a firepit and is ready for summer enjoyment! Freshly seal coated paved driveway!

Tax Information

2020 Taxes: **\$4045.93** Assessment: **\$240,400**
 Pln #:

Cert: Zoning Code: **R**
 Map: **03** Block: **30** Lot: **17** Book: **58647** Page: **339**

Property Descriptions

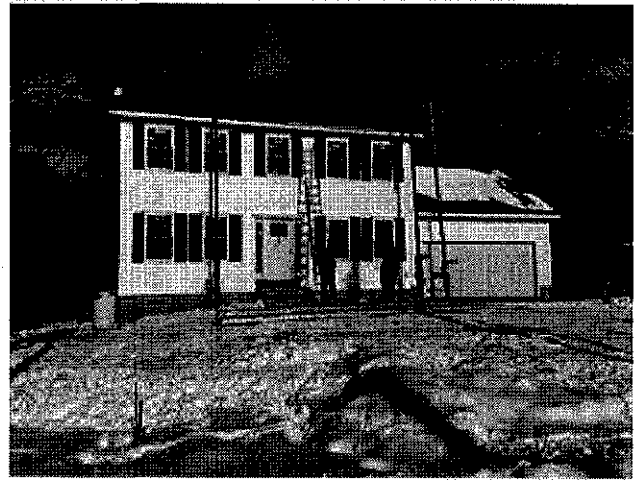
Document Page 2 of 43
Prepared for David Douglas DiPaola

19 Oak Street
Templeton, MA 01438
Single Family

MLS #: **72780671** Status: **Sold**
List Price: **\$374,900** Sale Price: **\$378,900**
List Date: **1/30/2021** Sale Date: **4/16/2021**
Area: Off Market Date: **3/18/2021**
List\$/SqFt: **\$234.31** Sold\$/SqFt: **\$236.81**
Days on Market (Total): **48** Days on Market (Office): **48**
Neighborhood/Sub-Division: **Residential**

Property Features

Rooms: **7** Style: **Colonial**
Bedrooms: **3** Type: **Attached**
Baths: **2f 1h** Apprx Acres: **0.48**
Master Bath: Apprx Lot Size: **21120 sq.ft.**
Fireplaces: **0** Apprx Living Area: **1600 sq.ft.**
Year Built: **2021** Foundation Size: **(Poured Concrete)**
Color: **White** Garage: **2 Attached**
Parking: **4 Off-Street**
Handicap Access/Features:



Room Descriptions

Room	Level	Size	Features
------	-------	------	----------

Features & Other Information

Appliances: **Dishwasher, Microwave**
Area Amenities: **Public Transportation, Shopping, Walk/Jog Trails, Golf Course, Medical Facility, Laundromat, Conservation Area, Highway Access, House of Worship, Private School, Public School**
Basement: **Yes Full, Bulkhead, Concrete Floor, Unfinished Basement**
Construction: **Frame**
Cooling: **None**
Electric: **220 Volts, Circuit Breakers**
Exclusions: **none**
Exterior: **Vinyl**
Exterior Features: **Deck, Professional Landscaping, Screens**
Heating: **Propane**
Hot Water: **Propane Gas**
Interior Features: **Cable Available**
Lead Paint: **None**
Road Type: **Public, Paved**
Roof: **Asphalt/Fiberglass Shingles**
Sewer Utilities: **City/Town Sewer**
Water Utilities: **City/Town Water**
Waterfront: **No** Water View: **No**
Short Sale w/Lndr.App.Req: **No**
Lender Owned: **No**

Remarks

Brand new 2 story colonial 3 bed room 2.5 bath 2 car garage city water and sewer landscaped, paved driveway

Tax Information

2020 Taxes: \$475 Assessment: \$28,200

Cert: Zoning Code: **Residentia**

Pin #:

Map: Block: Lot: Book: **5231** Page: **0010**

Property Comparisons

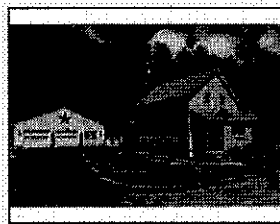
Prepared for David DeGlas by Paul



Lot 3 Michaels Lane
Templeton, MA 01436



464 Otter River Rd
Templeton, MA 01468



21 Fisher Street
Templeton, MA 01468

MLS #	72785844	72831616	72827306
Status	Active	Contingent	Under Agreement
List Price	\$434,900	\$294,900	\$324,900
Sale Price			
List Date	2/15/2021	5/13/2021	5/6/2021
Off Market Date			5/11/2021
Sale Date			
Days on Market	97	10	5
Style	Cape	Raised Ranch	Cape
Bedrooms	3	4	2
Full Baths	2	2	1
Half Baths	1	0	1
Total Rooms	7	8	5
Square Feet	1762	1337	1486
Acres	1	0.41	1.29
Lot Size (sq.ft.)	43560	17859	56192
Year Built	2021	1971	1945
Fireplaces	1	0	0
Garage Spaces	2	1	5
Garage Desc	Attached, Garage Door Opener, ...	Attached, Under	Detached
Basement Desc	Full, Interior Access, Concret...	Full	Full
Int. Features	Cable Available		
Ext. Features	Porch, Deck, Professional Land...		Deck, Pool - Inground, Storage...
Sewer & Water			
Waterfront			
Beach Desc			
Assessed Value	\$0	\$202,700	\$220,700
Taxes	\$0	\$3,265.50	\$3,555
Tax Year	2021	2021	2021

Property Comparisons

Document Case 21-40421
Prepared for David Douglas DiPaula



84 Baptist Common Rd
Templeton, MA 01468



10 April Circle
Templeton, MA 01468



61 Victoria Lane
Templeton, MA 01468

MLS #	72822359	72800951	72784602
Status	Under Agreement	Under Agreement	Sold
List Price	\$325,000	\$329,900	\$320,000
Sale Price			\$345,000
List Date	4/28/2021	3/19/2021	2/10/2021
Off Market Date	5/3/2021	4/30/2021	2/27/2021
Sale Date			3/26/2021
Days on Market	6	17	18
Style	Ranch	Contemporary, Ranch	Colonial
Bedrooms	3	3	3
Full Baths	2	2	1
Half Baths	0	0	1
Total Rooms	5	5	6
Square Feet	1508	1349	1545
Acres	1.96	1.03	1
Lot Size (sq.ft.)	85378	44867	43560
Year Built	2006	1996	2012
Fireplaces	0	1	0
Garage Spaces	0	2	0
Garage Desc		Attached	
Basement Desc	Full, Finished, Partially Fini...	Full, Bulkhead	Full, Interior Access, Bulkhead
Int. Features		Cable Available	Cable Available
Ext. Features	Deck, Gutters, Fenced Yard	Deck, Pool - Above Ground	Deck - Wood
Sewer & Water			
Waterfront			
Beach Desc		Lake/Pond	
Assessed Value	\$259,500	\$242,000	\$240,400
Taxes	\$4,181	\$4,972	\$4,045.93
Tax Year	2021	2020	2020

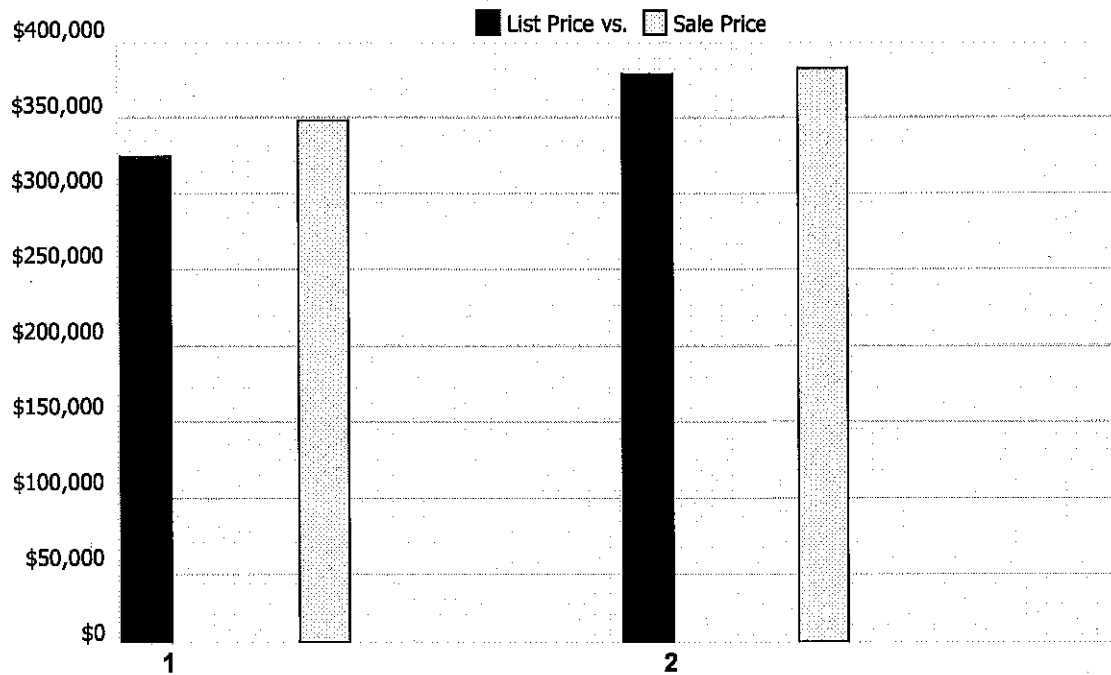


19 Oak Street
Templeton, MA 01438

MLS #	72780671
Status	Sold
List Price	\$374,900
Sale Price	\$378,900
List Date	1/30/2021
Off Market Date	3/18/2021
Sale Date	4/16/2021
Days on Market	48
Style	Colonial
Bedrooms	3
Full Baths	2
Half Baths	1
Total Rooms	7
Square Feet	1600
Acres	0.48
Lot Size (sq.ft.)	21120
Year Built	2021
Fireplaces	0
Garage Spaces	2
Garage Desc	Attached
Basement Desc	Full, Bulkhead, Concrete Floor,...
Int. Features	Cable Available
Ext. Features	Deck, Professional Landscaping...
Sewer & Water	
Waterfront	
Beach Desc	
Assessed Value	\$28,200
Taxes	\$475
Tax Year	2020

Sold Properties Graph

Prepared for David Douglas DiPaua



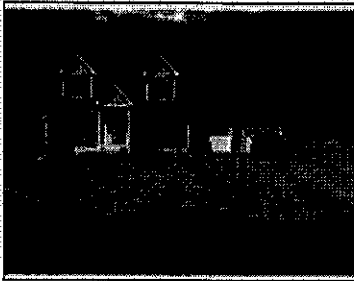
	Address	City	Days on Market	List Price	Sale Price
1	61 Victoria Lane	Templeton, MA	18	\$320,000	\$345,000
2	19 Oak Street	Templeton, MA	48	\$374,900	\$378,900

Pricing Adjustments per Property

Prepared for David Douglas DiPaua

Subject Property

7 Harris Street
 Single Family - Sold
 Templeton, MA 01436
 List Price: \$179,900
 Sale Price: \$168,000
 List Date: 12/9/2002
 Off Market Date: 2/14/2003
 Sale Date: 3/19/2003
 Days on Market: 67

Comparable No.1

Lot 3 Michaels Lane
 Single Family - Active
 Templeton, MA 01436
 List Price: \$434,900
 List Date: 2/15/2021
 Days on Market: 97

Comparable No.2

464 Otter River Rd
 Single Family - Contingent
 Templeton, MA 01468
 List Price: \$294,900
 List Date: 5/13/2021
 Days on Market: 10

Adjustments

Item	Description	Description	+(-) \$ Adjustment	Description	+(-) \$ Adjustment
	Net Adjusted (Total)		0		0
	Adjusted Price		\$434,900		\$294,900

Pricing Adjustments per Property

Prepared for David Douglas DiPaua

Subject Property



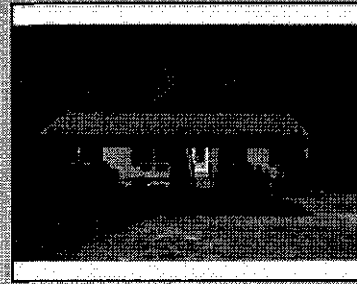
7 Harris Street
Single Family - Sold
Templeton, MA 01436
List Price: \$179,900
Sale Price: \$168,000
List Date: 12/9/2002
Off Market Date: 2/14/2003
Sale Date: 3/19/2003
Days on Market: 67

Comparable No.3



21 Fisher Street
Single Family - Under Agreement
Templeton, MA 01468
List Price: \$324,900
List Date: 5/6/2021
Off Market Date: 5/11/2021
Days on Market: 5

Comparable No.4



84 Baptist Common Rd
Single Family - Under Agreement
Templeton, MA 01468
List Price: \$325,000
List Date: 4/28/2021
Off Market Date: 5/3/2021
Days on Market: 6

Adjustments

Item	Description	Description	+(-) \$ Adjustment	Description	+(-) \$ Adjustment
	Net Adjusted (Total)		0		0
	Adjusted Price		\$324,900		\$325,000

Pricing Adjustments per Property

Prepared for David Douglas DiPaua

Subject Property



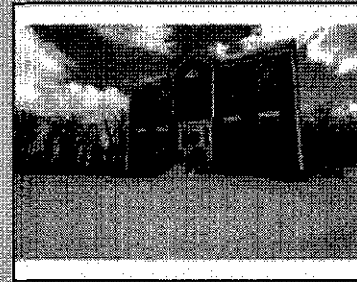
7 Harris Street
Single Family - Sold
Templeton, MA 01436
List Price: \$179,900
Sale Price: \$168,000
List Date: 12/9/2002
Off Market Date: 2/14/2003
Sale Date: 3/19/2003
Days on Market: 67

Comparable No.5



10 April Circle
Single Family - Under Agreement
Templeton, MA 01468
List Price: \$329,900
List Date: 3/19/2021
Off Market Date: 4/30/2021
Days on Market: 17

Comparable No.6



61 Victoria Lane
Single Family - Sold
Templeton, MA 01468
List Price: \$320,000
Sale Price: \$345,000
List Date: 2/10/2021
Off Market Date: 2/27/2021
Sale Date: 3/26/2021
Days on Market: 18

Adjustments

Item	Description	Description	+(-) \$ Adjustment	Description	+(-) \$ Adjustment
	Net Adjusted (Total)		0		0
	Adjusted Price		\$329,900		\$345,000

Pricing Adjustments per Property

Prepared for David Douglas DiPaua

Subject Property



7 Harris Street
Single Family - Sold
Templeton, MA 01436
List Price: \$179,900
Sale Price: \$168,000
List Date: 12/9/2002
Off Market Date: 2/14/2003
Sale Date: 3/19/2003
Days on Market: 67

Comparable No.7



19 Oak Street
Single Family - Sold
Templeton, MA 01438
List Price: \$374,900
Sale Price: \$378,900
List Date: 1/30/2021
Off Market Date: 3/18/2021
Sale Date: 4/16/2021
Days on Market: 48

Adjustments

Item	Description	Description	+(-) \$ Adjustment
Net Adjusted (Total)			0
Adjusted Price			\$378,900

Pricing Analysis - Square Foot Price

Number of Properties: 7

Price Range: \$294,900 to \$434,900

Average Price: \$347,643

Average \$ Per Square Foot: \$230

Address	City	Status	Square Feet	\$/SqFt	Price
464 Otter River Rd	Templeton, MA	CTG	1337	221	\$294,900
21 Fisher Street	Templeton, MA	UAG	1486	219	\$324,900
84 Baptist Common Rd	Templeton, MA	UAG	1508	216	\$325,000
10 April Circle	Templeton, MA	UAG	1349	245	\$329,900
61 Victoria Lane	Templeton, MA	SLD	1545	223	\$345,000
19 Oak Street	Templeton, MA	SLD	1600	237	\$378,900
Lot 3 Michaels Lane	Templeton, MA	ACT	1762	247	\$434,900

Pricing Scenarios

Average price of properties comparable to yours:

\$347,643

Predicted Price of your home based on 'cost per square foot':

\$ 345,000

Based on your property's square footage of **1500** and the average cost per square foot listed above as **\$230 per sqft.**

Suggested Sales Price
Prepared for David Douglas DiPaua

	Days on Market	Price
No. 1 - Lot 3 Michaels Lane, Templeton, MA	97	\$434,900
No. 2 - 464 Otter River Rd, Templeton, MA	10	\$294,900
No. 3 - 21 Fisher Street, Templeton, MA	5	\$324,900
No. 4 - 84 Baptist Common Rd, Templeton, MA	6	\$325,000
No. 5 - 10 April Circle, Templeton, MA	17	\$329,900
No. 6 - 61 Victoria Lane, Templeton, MA	18	\$345,000
No. 7 - 19 Oak Street, Templeton, MA	48	\$378,900
Indicated Value by Sale Comparison Approach	28.71	\$347,643

BK29395PG177
LAW OFFICE OF DANIEL W. MURRAY
177 WORCESTER ST. SUITE 203
WELLESLEY, MA 02481

75187

DS/n

MASSACHUSETTS QUITCLAIM DEED

I, MICHAEL J HARDY of 7 HARRIS STREET, Baldwinville, Massachusetts 01436, for consideration paid, and in full consideration of ONE HUNDRED SIXTY-EIGHT THOUSAND AND 00/100 Dollars (U.S. \$168,000.00) grant to DAVID D. DIPADUA, Individually, of 214 INGLESIDE AVENUE, APT. 1, Worcester, Massachusetts 01604 with *quitclaim covenants* the following property in Norfolk County, Massachusetts.

PROPERTY AND GRANTOR ADDRESS:
7 HARRIS ST. BALDWINVILLE, MA

PARCEL ONE

Land with the buildings thereon in the village of Baldwinville, Town of Templeton, Worcester County, MA bounded and described as follows:

COMMENCING: on the Northeasterly side of Harris St., 100 Feet Westerly from a road monument on the Westerly side of the County Road leading from Baldwinville to Winchendon Center, being a corner of land formerly of Robert M. Auringer;

THENCE: on said street N. 48 degrees 30' W. ninety feet;

THENCE: Northeasterly on a line at a right angle from said street one hundred feet;

THENCE: Southeasterly, parallel with said street, ninety feet;

THENCE: Southwesterly, parallel with the second described line, one hundred feet on a line of said Auringer to the place of beginning;

BEING: Part of the "Parley" and part of the "Sawyer" land, so called.

PARCEL TWO

A certain parcel of land on the southeasterly side of Winchester Street in the village of Baldwinville in said Templeton, bounded and described as follows, to wit:

BEGINNING: at the most westerly corner thereof at an iron pipe marking an angle in the southeasterly line of Winchester Street, 100 feet northeasterly of Harris Street;

THENCE: northeasterly at an included angle of 84 degrees - 00' by the said line of Winchester Street, 150 feet to an iron pipe;

THENCE: southeasterly at an included angle of 96 degrees - 00' by other land of the grantor herein, 90.00 feet to an iron pipe;

THENCE: southeasterly an included angle of 84 degrees - 00' by other land of the grantor herein, 150.0 feet to the most easterly corner of land now or formerly of R. Frank Nasiatka;

TENCE: northwesterly at an included angle of 96 degrees - 00' by said Nasiatka land 90.0 feet to the place of beginning.

03 MAR 19 PM 2:56

BK29395PG178

Being the same premises conveyed to the herein named grantor by deeds recorded with Worcester District Registry of Deeds in Book 17682, Page 278 and Book 17682, Page 279, respectively.

Witness my hand and seal this 19th day of March, 2003.


MICHAEL J HARDY

Commonwealth of Massachusetts

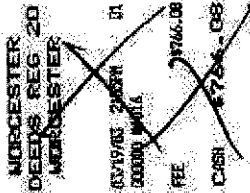
Norfolk, ss:

March 19, 2003

Then personally appeared the above-named MICHAEL J HARDY and acknowledged the foregoing instrument to be his free act and deed before me.


Notary Public: Daniel W. Murray
My Commission Expires: 12/15/06

PROPERTY ADDRESS: 7 HARRIS STREET Baldwinville, Massachusetts 01436



ATTEST: WORC. Anthony J. Viglotti, Register

Bk: 33786 Pg: 187



2004 06130400
Bk: 33786 Pg: 187 Doc: HMST
Page: 1 of 1 06/04/2004 01:07 PM

DECLARATION OF HOMESTEAD

KNOW ALL MEN BY THESE PRESENTS THAT I, David D. DiPadua
(Name)

of Baldwinville COUNTY OF WORCESTER AND
(City or Town)

COMMONWEALTH OF MASSACHUSETTS as Householder, and having a family or sole owner and being entitled to an Estate of Homestead in the land and buildings hereinafter described, do hereby declare that I own, possess and occupy said premises as a residence and homestead under Massachusetts General Laws, Chapter 188, as amended to wit:

MAIL

Property Location: 7 Harris St Baldwinville MA 01436
(Street address, City and Zip Code)

Deed Reference: Book 29385
Page 177

Witness my hand and seal this 4th day of June, 2004

David D. DiPadua

COMMONWEALTH OF MASSACHUSETTS

Worcester, SS

Date June 4, 2004

On this day before me, the undersigned notary public, personally appeared David D. DiPadua, proved to me through satisfactory evidence of identification, which were his drivers license, to be the person whose name is signed on the above document, and acknowledged to me that he signed it voluntarily for its stated purpose.

Assunta V. Tavano
Notary Public

My Commission Expires:

ASSUNTA TAVANO
NOTARY PUBLIC
MY COMMISSION EXPIRES 02/14/08

(1100)

ATTEST: WORC. Anthony J. Valiotti, Registrar

Bk: 38332 Pg: 37

EXECUTION		DOCKET NUMBER 200563CV000167	Trial Court of Massachusetts District Court Department
CASE NAME: GRAFTON SUBURBAN CREDIT UNION vs. DAVID D. DIPADUA			
JUDGMENT CREDITOR(S) IN WHOSE FAVOR EXECUTION IS ISSUED P01 GRAFTON SUBURBAN CREDIT UNION		CURRENT COURT Gardner District Court 106 Matthews Street Gardner, MA 01440-1304 (978) 692-2373	
JUDGMENT CREDITOR (OR CREDITOR'S ATTORNEY) WHO MUST ARRANGE SERVICE OF EXECUTION P01 RICHARD RANDALL HUBBARD RICHARD R HUBBARD P O BOX 587 NINE NORTH MAIN STREET UXBRIDGE, MA 01569		FURTHER ORDERS OF THE COURT <div style="text-align: center; font-size: 1.5em; font-weight: bold;">ORIGINAL</div>	
JUDGMENT DEBTOR AGAINST WHOM EXECUTION IS ISSUED D01 DAVID D. DIPADUA 7 HARRIS ST BALDWINVILLE, MA 01438		A TRUE COPY ATTEST <div style="text-align: center;"> DEPUTY SHERIFF</div>	
<p style="font-size: 0.7em;">Bk: 38332 Pg: 37 Doc: EXC Page: 1 of 8 02/02/2008 03:58 PM</p>			
<p>TO THE SHERIFFS OF THE SEVERAL COUNTIES OR THEIR DEPUTIES, OR (SUBJECT TO THE LIMITATIONS OF G.L. c. 41, § 82) ANY CONSTABLE OF ANY CITY OR TOWN WITHIN THE COMMONWEALTH:</p> <p>The judgment creditor(s) named above has recovered judgment against the judgment debtor named above in the amount shown below.</p> <p>WE COMMAND YOU, therefore, from out of the value of any real or personal property of such judgment debtor found within your territorial jurisdiction, to cause payment to be made to the judgment creditor(s) in the amount of the "Execution Total" shown below, plus additional postjudgment interest as provided by G.L. c. 235 § 8 on the "Judgment Total" shown below, commencing from the "Date Execution Issued" shown below at the "Annual Postjudgment Interest Rate" shown below, and to collect your own fees, as provided by law. This Writ of Execution is valid for twenty years from the "Date Judgment Entered" shown below. It must be returned to the court, along with your return of service, within ten days after this judgment has been satisfied or discharged, or after twenty years if this judgment remains unsatisfied or undischarged.</p>			
1. Judgment Total		\$6,089.52	
2. Date Judgment Entered		01/05/2008	
3. Date Execution Issued		01/17/2008	
4. Number of Days from Judgment to Execution (Line 3 - Line 2)		12	
5. Annual Postjudgment Interest Rate of 12.00% / 365 = Daily Interest Rate		0.032877%	
6. Postjudgment Interest from Judgment to Execution (Lines 1x4x5)		\$23.95	
7. Postjudgment Costs (if any)		\$0.00	
8. Credits (if any)		\$0.00	
9. EXECUTION TOTAL (Lines 1 + 6 + 7, minus Line 8)		\$6,083.47	
LEVYING OFFICER: (a) Add daily interest from date execution issued.			
(b) Add your fees as provided by law.			
TESTE OF FIRST JUSTICE		DATE EXECUTION ISSUED	CLERK/MAGISTRATE/ASST. CLERK
WITNESS: Non. Patrick A. Fox		01/17/2008	

Bk: 38332 Pg: 38

Worcester, SS. Worcester

February 2, 2006

By virtue of this Execution which issued on a Judgment in favor of

Grafton Suburban Credit Union

against Judgment Debtor **DAVID D. DIPADUA,**

7 Harris St., Baldwinville, Ma 01436

which was rendered on **January 5, 2006** said Execution having been placed in my hands for the purpose of taking the lands of said Judgment Debtor, I have this day at 9:05A.M. seized and taken all right, title and interest which said Judgment Debtor had not exempt by law from attachment or levy on execution in and to a certain parcel of land in said **Templeton (Village of Baldwinville)** bounded and described as follows:

(SEE ATTACHED FOR DESCRIPTION)

The above is a true copy of so much of my return as relates to the seizure of Real Estate. And I suspend further action at this time on the written request of the Plaintiff's attorney.

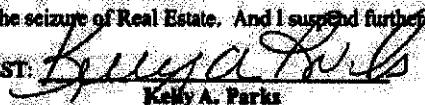
Mail to:

Richard R. Hubbard, Esq.


P.O. Box 567

Uxbridge, MA 01569

ATTEST:



Kelly A. Parks
Deputy Sheriff

EXECUTION		Bk: 40507 Pg: 248 DOCKET NUMBER 200663CV000197	Trial Court of Massachusetts District Court Department
CASE NAME: MIDLAND FUNDING, LLC ASSIGNEE OF ASPIRE VISA vs. DAVID D. DIPADUA AKA DAVID DOUGLAS DIPADUA			
JUDGMENT CREDITOR(S) IN WHOSE FAVOR EXECUTION IS ISSUED P01: MIDLAND FUNDING, LLC ASSIGNEE OF ASPIRE VISA <div style="text-align: right;">5306-21 SHV</div>		CURRENT COURT Gardner District Court 100 Mathews Street Gardner, MA 01440-1304 (978) 832-2373	
JUDGMENT CREDITOR (OR CREDITOR'S ATTORNEY) WHO MUST ARRANGE SERVICE OF EXECUTION P01: RICHARD S. DANIELS, JR. DANIELS LAW OFFICES, P.C. ONE CENTER PLAZA BOSTON, MA 02108-1801		FURTHER ORDERS OF THE COURT <div style="text-align: center;"> A TRUE COPY ATTEST <i>Nancy P. Bourneau</i> DEPUTY SHERIFF </div>	
JUDGMENT DEBTOR AGAINST WHOM EXECUTION IS ISSUED D01: DAVID D. DIPADUA AKA DAVID DOUGLAS DIPADUA 7 HARRIS ST BALDWINVILLE, MA 01436		<div style="text-align: center;">  Bk: 40507 Pg: 248 Doc: EXC Page: 1 of 3 01/12/2007 03:50 PM </div>	
<p>TO THE SHERIFFS OF THE SEVERAL COUNTIES OR THEIR DEPUTIES, OR (SUBJECT TO THE LIMITATIONS OF G.L. c. 41, § 82) ANY CONSTABLE OF ANY CITY OR TOWN WITHIN THE COMMONWEALTH:</p> <p>The judgment creditor(s) named above has recovered judgment against the judgment debtor named above in the amount shown below.</p> <p>WE COMMAND YOU, therefore, from out of the value of any real or personal property of such judgment debtor found within your territorial jurisdiction, to cause payment to be made to the judgment creditor(s) in the amount of the "Execution Total" shown below, plus additional postjudgment interest as provided by G.L. c. 235 § 8 on the "Judgment Total" shown below commencing from the "Date Execution Issued" shown below at the "Annual Postjudgment Interest Rate" shown below, and to collect your own fees, as provided by law. This Writ of Execution is valid for twenty years from the "Date Judgment Entered" shown below. It must be returned to the court, along with your return of service, within ten days after this judgment has been satisfied or discharged, or after twenty years if this judgment remains unsatisfied or undischarged.</p>			
1. Judgment Total		\$3,481.57	
2. Date Judgment Entered		11/24/2006	
3. Date Execution Issued		12/05/2006	
4. Number of Days from Judgment to Execution (Line 3 - Line 2)		11	
5. Annual Postjudgment Interest Rate of 12.00% / 365 = Daily Interest Rate		0.032877%	
6. Postjudgment Interest from Judgment to Execution (Lines 1x4x5)		\$12.52	
7. Postjudgment Costs (if any)		\$0.00	
8. Credits (if any)		\$0.00	
9. EXECUTION TOTAL (Lines 1 + 6 + 7, minus Line 8)		\$3,474.09	
LEVYING OFFICER: (a) Add daily interest from date execution issued. (b) Add your fees as provided by law.			
TESTE OF FIRST JUSTICE WITNESS: Hon. Patrick A. Fox		DATE EXECUTION ISSUED: 12/05/2006	CLERK/MAGISTRATE/ASST. CLERK X <i>[Signature]</i>

PRINTED: 12/05/2006 10:45 AM

Bk: 40507 Pg: 249

Worcester, SS. Worcester

January 12, 2007

By virtue of this Execution which issued on a Judgment in favor of

Midland Funding, L.L.C. as Assignee of Aspire Visa

against Judgment Debtor DAVID D. DIPADUA A/K/A DAVID DOUGLAS DIPADUA,

7 Harris St., Baldwinville, MA 01436

which was rendered on November 24, 2006 said Execution having been placed in my hands for the purpose of taking the lands of said Judgment Debtor, I have this day at 9:05A.M. seized and taken all right, title and interest which said Judgment Debtor had not exempt by law from attachment or levy on execution in and to a certain parcel of land in said Templeton (Village of Baldwinville) bounded and described as follows:

(See Attached for Legal Description)

The above is a true copy of so much of my return as relates to the seizure of Real Estate. And I suspend further action at this time on the written request of the Plaintiff's attorney.
Mail to:

ATTEST: Nancy P. Barreau
Nancy P. Barreau
Deputy Sheriff

Richard S. Daniels, Esq.
Daniels Law Offices, PC
One Center Plaza
Boston, MA 02108-1801